

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. 2:22-cr-00121-LK

Plaintiff,

ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL
DATE AND EXTEND PRETRIAL
MOTIONS DEADLINE

JEREMY DANIEL MANNING,

Defendant.

This matter comes before the Court on Defendant Jeremy Daniel Manning’s Sixth Unopposed Motion to Continue Trial & Pretrial Motions Deadline. Dkt. No. 50. Mr. Manning seeks to continue the trial date from August 19, 2024 to April 21, 2025, and to continue the pretrial motions deadline from July 8, 2024 to “an appropriate date.” *Id.* at 1; *see also* Dkt. No. 45 (setting current trial date and pretrial motions deadline). The Government does not oppose the motion. Dkt. No. 50 at 2.

Mr. Manning is charged with one count of Possession of Child Pornography in violation of 18 U.S.C. § 2252(a)(4)(B) and (b)(2). Dkt. No. 12 at 1–2.

1 Mr. Manning requests a new trial date of April 21, 2025 because his counsel, who was
2 appointed on March 21, 2024, states that he is “unable to prepare this case for trial by August 19,
3 2024, or research, write, and file pretrial motions by July 8, 2024—the present pretrial motions
4 deadline.” Dkt. No. 50 at 4; *see also* Dkt. No. 48 (appointing Mr. Manning’s current counsel).
5 Defense counsel avers that he “ha[s] not yet received all of the discovery, nor ha[s] he] had time to
6 discuss the facts with the client, investigate and evaluate possible defenses, advise the client about
7 possible consequence, or research and prepare pretrial motions.” *Id.*. Defense counsel states that
8 based on those facts, “[i]f this case were to proceed to trial as presently scheduled, Mr. Manning
9 would be deprived of the effective assistance of counsel.” Dkt. No. 50 at 5. Mr. Manning has
10 waived his speedy trial rights through May 21, 2025. Dkt. No. 49 at 1–2.

11 Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by
12 granting a continuance outweigh the best interest of the public and Mr. Manning in any speedier
13 trial. Specifically, the Court finds that failure to grant the requested continuance would likely result
14 in a miscarriage of justice and would deny defense counsel the reasonable time necessary for
15 effective preparation, taking into account the exercise of due diligence, due to counsel’s need for
16 more time to receive and review the discovery, discuss the facts with Mr. Manning, investigate
17 and evaluate possible defenses, advise Mr. Manning about possible consequences, and research
18 and prepare pretrial motions on Mr. Manning’s behalf. *See* 18 U.S.C. § 3161(h)(7)(B)(i), (iv). The
19 Court finds that the additional time requested is a reasonable period of delay and will be necessary
20 to provide counsel and Mr. Manning reasonable time to accomplish the above tasks.

21 For these reasons, the Court GRANTS the motion, Dkt. No. 50, and ORDERS that the trial
22 date shall be continued from August 19, 2024 to April 21, 2025, and the pretrial motions deadline
23 shall be continued from July 8, 2024 to March 10, 2025. It is further ORDERED that, pursuant to
24 18 U.S.C. § 3161(h)(7)(A) and (B), the period of delay from the date of this Order to the new trial

1 date is EXCLUDED when computing the time within which Defendant's trial must commence
2 under the Speedy Trial Act.

3

4 Dated this 10th day of May, 2024.

5 
6 Lauren King
7 United States District Judge